

IDAHO STATE TAX COMMISSION
ADMINISTRATIVE POLICY MEMORANDUM No. 16-03
(Replaces Administrative Policy Memo No. 12-03 Dated May 9, 2012)

DATE: April 13, 2016

SUBJECT: Violence in the Workplace

PURPOSE: The Idaho State Tax Commission (Tax Commission) is committed to providing a workplace that is safe, secure and free of harassment, threats, intimidation and violence for its employees.

POLICY SCOPE: This policy applies to all locations where Tax Commission employees work or represent the agency. This includes any location where an employee performs work-related duties. This includes but is not limited to buildings and the surrounding perimeters, It includes all state-owned, leased or donated space, including vehicles, and any location where state business or sponsored activity is conducted.

POLICY: The Tax Commission will not tolerate any form of violence in the workplace, whether its implied or direct, including intimidation, coercion, harassment, and verbal, written, or physical threats. All property of the Tax Commission, including vehicles are weapon-free zones.

Tax Commission employees must report any threat or act of violence a nonemployee makes toward them, another person, or the person posing the threat or committing the violence. Any such threat or action must be reported to the employee's supervisor and the agency's Safety and Security Officer. Violent threats or actions by a nonemployee may be reported to law enforcement authorities.

If an employee has filed a restraining order, temporary or permanent, against an individual due to a potential act of violence and the order applies to the worksite, the employee shall immediately inform his or her supervisor and provide a copy of the signed order. The supervisor shall notify management who will take the appropriate action.

DEFINITIONS: Violence in the workplace may include, but is not limited to the following examples of prohibited conduct:

- Physically aggressive acts (assault, battery, hitting, shoving, fighting, etc.)
- A serious, communicated or implied intent to harm another, or endanger their own safety, or destroy property (physical restraint, confinement, etc.)
- Actions that have a potential for violence (throwing objects, waving fists, destroying property, etc.)
- Obsessively directed behavior (harassing phone calls, stalking, intensely focusing on a grudge or aggravation, bullying, dangerous or threatening horseplay, etc.)

Possession, use, or display of firearms, fireworks, explosives, knives, or similar objects with blades over four inches in length, and weapons or their replicas, is prohibited in any Tax Commission facility, including parking lots and vehicles, while engaged in Tax Commission-related activities or

sponsored events unless approved in writing by a Commissioner. Pocket knives or knives used solely for eating or food preparation are not considered weapons for purposes of this policy unless used to inflict bodily injury or damage to property.

- Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.

EXCEPTIONS: Peace officers as defined in Idaho Code Section 19-5101 and law enforcement officials authorized to carry a firearm under state or federal statute are exempt from this weapons restriction.

Weapons seized pursuant to a duly issued tax warrant for non-payment of taxes shall be transported and stored in a safe and secure manner.

RETALIATION: Retaliation against an employee who reports workplace violence or threats of violence in good faith or who participates in an investigation is strictly prohibited.

COMPLAINT PROCEDURE: Any violence or threat of violence must be reported immediately to any supervisor or manager, the agency's Human Resource Officer, or any Tax Commissioner.

After reporting the situation, employees shall not discuss the matter with co-workers and persons not directly responsible for investigating the matter, except in cases when there is risk of imminent physical danger. Care must be taken to keep the situation contained to prevent escalation of the violence or threat and prevent damage to the reputation of someone falsely accused.

COMPLIANCE AND ENFORCEMENT: The Tax Commission will promptly investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware.

If evidence exists to support an allegation of violence or possession of a weapon in violation of this policy and the offender is an employee, management will take appropriate disciplinary action, up to and including immediate dismissal. The employee may be subject to criminal prosecution under applicable federal and state laws. Lack of enforcement does not constitute consent.

EFFECTIVE: Immediately

APPROVAL: Adopted by the Idaho State Tax Commissioners on April 13, 2016.

DISTRIBUTION: A copy of this policy will be published on Tax Insider upon adoption by the Commissioners, distributed to all employees of the Tax Commission, and included in the agency's New Hire Orientation. An electronically signed statement acknowledging receipt of the policy is required from each employee and will be maintained by Human Resources.

EXPIRATION: This policy expires on April 13, 2020.